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- and -

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Proposed Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ARNOLD KREEK, Individually And On Behalf
Of All Others Similarly Situated,

Case No. CV-08 1830 (WHA)

CLASS ACTION

**RE-NOTICE OF MOTION AND
MOTION TO APPOINT EDWARD LEE
AS LEAD PLAINTIFF, APPROVAL OF
LEAD PLAINTIFF'S SELECTION OF
CO-LEAD COUNSEL**

Date: August 7, 2008

Time: 8:00 a.m.

Ctrm: 9, 19th Floor

Honorable William H. Alsup

RE-NOTICE OF MOTION AND MOTION

TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

Pursuant to instruction of the court, PLEASE TAKE NOTICE THAT the hearing previously noticed for July 31, 2008, at 8:00 a.m. shall instead be heard on August 7, 2008 at 8:00 a.m. in the Courtroom of the Honorable William H. Alsup, at which time class member Edward Lee will move this Court for an Order: (1) appointing himself lead plaintiff, pursuant to the Private Securities Litigation Reform Act of 1995 (the “PSLRA”); (2) approving his selection of the law firms of Reese Richman LLP (“Reese Richman”) and Whatley Drake & Kallas, LLC (“Whatley Drake”) as co-lead counsel pursuant to the PSLRA; and (3) granting such other and further relief as the Court may deem just and proper.

11 This Motion is based on the Re-Notice of Motion, the supporting Memorandum of Points
12 and Authorities previously filed (Dkt. 24), the Declaration of Michael R. Reese in support
13 thereof (“Reese Decl.”) previously filed (Dkt. 25), the pleadings, other files and records in the
14 above-captioned action and other such written or oral argument as may be presented to the Court.

DATED: July 1, 2008

Respectfully Submitted,

/s/ Michael R. Reese

MICHAEL R. REESE

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